

Application No. 09/767,465  
Amendment "B" to Final Office Action dated March 7, 2005  
Reply to Office Action mailed December 5, 2004

## REMARKS / ARGUMENTS

### Introduction

The present Amendment is in response to the Examiner's Final Office Action mailed December 6, 2004. Claims 1-3, 13, 23, 28, 24, and 39 are amended and claims 1-48 are now pending in view of the above amendments. Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicants request that the Examiner carefully review any references discussed below to ensure that Applicants understanding and discussion of the references, if any, is consistent with the Examiner's understanding. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

### Examiner's Interview

Applicant's express their appreciation to the Examiner for conducting an interview with Applications on March 2, 2005. This amendment includes the substance of the Interview.

### Rejections Under 35 U.S.C. § 103

The Office Action rejected claims 1, 2, 9, 10, 13-16, 21-23, 26-34, 35, 37, and 38 under 35 U.S.C. § 103(a) as being unpatentable over *Salo et al.* (U.S. Patent No. 6,563,800). The Office Action rejected claims 3-7 under 35 U.S.C. § 103(a) as being unpatentable over *Salo et al.* in view of *Wallach et al.* (U.S. Patent No. 6,292,905). The Office Action rejected claims 8, 11 and 12 as being unpatentable over *Salo et al.* in view of *Wallach et al.* and further in view of *McLaughlin* (U.S. Patent No. 6,138,049). The Office Action rejected claims 17 and 18 under 35 U.S.C. § 103(a) as being unpatentable over *Salo et al.* in view of *Subramaniam et al.* (U.S. Patent No. 6,081,90). The Office Action rejected claim 19 under 35 U.S.C. § 103(a) as being unpatentable over *Salo*, in view of *Roberts et al.* (U.S. Patent No. 6,295,551). The Office Action rejected claim 20 under 35 U.S.C. § 103(a) as being unpatentable over *Salo*, in view of

Application No. 09/767,463  
Amendment "B" to Final Office Action dated March 7, 2005  
Reply to Office Action mailed December 6, 2004

*Bendinelli et al.* (U.S. Patent No. 6,631,416). The Office Action rejected claim 24 under 35 U.S.C. § 103(a) as being unpatentable over *Salo*, in view of *Bendinelli et al.* The Office Action rejected claim 25 under 35 U.S.C. § 103(a) as being unpatentable over *Salo et al.* in view of *Subramaniam et al.* The Office Action rejected claim 36 under 35 U.S.C. § 103(a) as being unpatentable over *Salo et al.* in view of *Pandharipande* (U.S. Patent No. 6,529,500). The Office Action rejected claims 39-48 under 35 U.S.C. § 103(a) as being unpatentable over *Salo et al.* in view of *Shaheen et al.* (U.S. Patent No. 6,032,227).

Embodiments of the invention relate to systems and methods that allow a user to access the network data of an enterprise network through a data center. As discussed at the interview and noted in the Interview Summary, the claims have been amended to clarify that the data tunnel between the data center and the enterprise network is pre-established and on-going. Claim 1, for example, has been amended to require:

- establishing a data tunnel with a remote enterprise network, the data tunnel operating as a virtual private network;
- transmitting ongoing reply data to the remote enterprise network such that the data channel is kept open;
- receiving an access request from a user for network data from the remote enterprise network
- ...
- transmitting the access request to the remote enterprise network using the existing data tunnel
- ....

As discussed at the interview, the data tunnel is established with a remote enterprise and the reply data is transmitted to keep the data channel open. When an access request is received from a user, the data can be transmitted using the existing data tunnel. As discussed at the interview and stated in the interview summary, this amendment likely overcomes *Salo*.

The remaining independent claims 13, 23, 28, 34, and 29 have been similarly amended to clarify that the data tunnel is established and kept open. Because the data tunnel is established and then kept open, an access request from a user can be transmitted over the pre-opened or existing data tunnel. As discussed at the interview, *Salo*, either alone or in combination with the other references cited in the Office Action, fails to teach or suggest the pending claims.

For example, claim 13 has been amended to require transmitting a data request to the remote data center to establish a data tunnel with the remote data center. Claim 13 then requires receiving ongoing reply data . . . such that the data tunnel is kept open. Then, claim 13 requires

Application No. 09/767,465  
Amendment "B" to Final Office Action dated March 7, 2005  
Reply to Office Action mailed December 6, 2004

receiving an access request that is transmitted from the remote data center through the pre-opened data tunnel.

Claim 39 illustrates requires caching a copy of the network data at the data center. Claim 39, as amended, also requires establishing a data tunnel and transmitting ongoing reply data . . . to keep the data tunnel open.

For at least these reasons and as discussed at the interview, the independent claims 1, 13, 23, 28, and 34, which were all rejected over *Salo*, overcome the art of record and are believed to be in condition for allowance. Claim 39, which was rejected over *Salo* in view of *Shaheen*, also overcomes the art of record for at least these reasons.

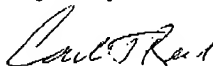
The dependent claims – namely 2-12, 14-22, 24-27, 29-33, 35-38, and 40-48 – depend from an independent claim that is believed to be allowable as discussed above. The dependent claims therefore overcome the art of record for at least this reason.

#### Conclusion

In view of the foregoing, and consistent with the agreement reached during the Examiner Interview, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 7<sup>th</sup> day of March 2005.

Respectfully submitted,



CARL T. REED  
Registration No. 45,454  
Attorney for Applicant  
Customer No. 022913  
Telephone: (801) 533-9800

W:\15964\3.1\DFW0000013143\V001.doc